

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD PAPAY,

Case No.: 07 CIV. 3858 (Robinson)

Plaintiff,

vs.

VIRGINIA HASELHUHN as
ASSISTANT EXECUTIVE DIRECTOR,
AMERICAN REGISTRY OF
RADIOLOGIC TECHNOLOGISTS,
RICHARD F. DAINES as
COMMISSIONER, STATE OF NEW
YORK DEPARTMENT OF HEALTH,
ADELA SALAME-ALFIE as DIRECTOR,
STATE OF NEW YORK DEPARTMENT
OF HEALTH -- BUREAU OF
ENVIRONMENTAL RADIATION
PROTECTION (in his official capacity);

**AFFIDAVIT OF SHARI L. JERDE
IN SUPPORT OF MOTION TO
DISMISS BY VIRGINIA HASELHUHN
AS ASSISTANT EXECUTIVE
DIRECTOR AND THE AMERICAN
REGISTRY OF RADIOLOGIC
TECHNOLOGISTS**

Defendants.

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

Shari L. Jerde, being duly sworn under oath, alleges and states the following:

1. I am an attorney with the firm of Dorsey & Whitney LLP, 50 South Sixth Street, Suite 1500, Minneapolis, Minnesota 55402, attorneys for Virginia Haselhuhn as Assistant Executive Director and the American Registry of Radiologic Technologists ("ARRT") (collectively hereinafter "the ARRT Defendants") in this matter. I submit this Affidavit in support of the ARRT Defendants' Motion to Dismiss.

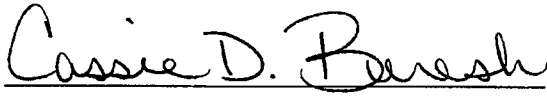
2. Attached hereto as Exhibit A is a true and correct copy of Staudinger v. Educational Comm'n for Foreign Med. Graduates, No. 92 Civ. 8071 (LJF), 1993 WL 138954 (S.D.N.Y. Apr. 28, 1993).

3. Attached hereto as Exhibit B is a true and correct copy of Billups v. Millet, No. 91 Civ. 6326 (DAB), 1996 WL 99399 (S.D.N.Y. Mar. 6, 1996).

FURTHER THIS AFFIANT SAYETH NAUGHT.


Shari L. Jerde

Subscribed and sworn to before me
this 31ST day of October, 2007.


Notary Public

